

Notice of Allowability

Application No.

10/025,270

Examiner

Michael J. Yigdoll

Applicant(s)

SYME ET AL.

Art Unit

2192

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Applicant's submission filed on August 6, 2007.
2. ☒ The allowed claim(s) is/are 1-14, 25 and 26 (renumbered 1-16).
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 20071014.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


TUAN DAM
SENIOR ADVISORY PATENT EXAMINER

Art Unit: 2192

DETAILED ACTION

1. This Office action is responsive to Applicant's submission filed on August 6, 2007.

Claims 1-14, 25 and 26 are pending.

Response to Amendment

2. The rejection of claims 1-14, 25 and 25 under 35 U.S.C. 101 has been withdrawn.
3. The rejection of claims 1-5, 7-9, 25 and 26 under 35 U.S.C. 102(b) has been withdrawn.
4. The rejection of claims 6 and 10-14 under 35 U.S.C. 103(a) has been withdrawn.

Response to Arguments

5. Applicant's arguments have been fully considered and are persuasive. The rejections of the claims have been withdrawn as noted above.

Examiner's Amendment

6. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to Applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with James R. Banowsky (Reg. No. 37,773) on October 12, 2007.

7. Claims 1 and 25 are amended, as presented below, to address issues of non-statutory subject matter under 35 U.S.C. 101.

IN THE CLAIMS

Please amend claims 1 and 25 as follows:

1. (Currently Amended)

at line 1, after "computer program product" and before "encoding a computer program", please insert --comprising a computer-readable storage medium--.

25. (Currently Amended)

at line 1, after "execution engine" and before "for executing", please insert --stored on a computer-readable storage medium--.

Allowable Subject Matter

8. Claim 1-14, 25 and 26 allowed.
9. The following is an examiner's statement of reasons for allowance.

The prior art of record does not teach or reasonably suggest, in the manner and combinations recited in independent claims 1, 25 and 26, dynamically generating typing context data associated with a typing-context-relevant-code-point, comprising dynamically allocating a field in a typing context data structure associated with the typing-context-relevant-code-point, the field describing the exact type of the typing-context-relevant-code point in a typing context, wherein the typing context data structure is not statically pre-allocated, as reflected in Applicant's arguments (remarks, pages 7-14).

10. Any comments considered necessary by Applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael J. Yigdall whose telephone number is (571) 272-3707. The examiner can normally be reached on Monday through Friday from 7:30am to 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tuan Q. Dam can be reached on (571) 272-3695. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Mj

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